

UNITED STATES BANKRUPTCY COURT
FOR THE EASTERN DISTRICT OF TEXAS
BEAUMONT DIVISION

IN RE:)	
SMITH, MARCLEAIN)	CASE NO. 00-12106
)	
)	CHAPTER 7
DEBTOR(S))	

**TRUSTEE'S FINAL REPORT, APPLICATION FOR COMPENSATION
AND REPORT OF PROPOSED DISTRIBUTION**

Stephen J. Zayler, the Trustee of the estate of the above-named Debtor(s), certifies under penalty of perjury, to the Court and the United States Trustee, that the trustee has faithfully and properly fulfilled the duties of his office, that the Trustee has examined all proofs of claims as appropriate in preparation for the proposed distribution, and that the proposed distribution attached herewith is proper and consistent with the law and rules of the court. The Trustee hereby applies for commission and expenses set forth herein and states that they are reasonable and proper.

I hereby authorize the Office of the United States Trustee to file by electronic means this Trustee's Final Report, Application for Compensation and Report of Proposed Distribution on my behalf, and I agree and acknowledge that the designation of my signature on this document, once filed, constitutes my valid signature for the purposes of 11 U.S.C. §704(9) and Fed. R. Bankr. Pro. 9011.

Therefore, the Trustee respectfully requests that the Final Report, Application for Compensation, and Report of Proposed Distribution be approved.

DATE: August 2, 2004

/s/ Stephen J. Zayler

Stephen J. Zayler
Trustee

REVIEWED BY THE UNITED STATES TRUSTEE:

I have reviewed the Trustee's Final Report, Application for Compensation, and Report of Proposed Distribution.

United States Trustee

Date: _____

By: _____

UNITED STATES BANKRUPTCY COURT
FOR THE EASTERN DISTRICT OF TEXAS
BEAUMONT DIVISION

IN RE:)	
SMITH, MARCLEAIN)	CASE NO. 00-12106
)	
)	CHAPTER 7
DEBTOR(S))	

**TRUSTEE'S FINAL REPORT, APPLICATION FOR COMPENSATION
AND APPLICATION TO CLOSE CASE AND DISCHARGE TRUSTEE**

The Trustee of the estate presents the following final report:

1. The Trustee applies for commissions and expenses set forth herein: That they are reasonable and proper; that in the course of the performance of duties, the Trustee has advanced monies from personal funds for expenses, and that the Trustee has not been reimbursed or indemnified.
2. The Trustee submits Schedule F as a summary of the assets and an estate property record. Any property scheduled under 11 U.S.C. Sec. 521(1) and not administered shall be deemed abandoned pursuant to 11 U.S.C. Sec. 554(c).
3. The Trustee has reduced all assets of this estate to cash or otherwise lawfully disposed of them, and the estate is ready to be closed.
4. The Trustee submits Schedule A as the account of estate cash receipts and disbursements.
5. There is no agreement or understanding between the Trustee and any other person for a division of the compensation sought by this application except as permitted by the Bankruptcy Code.
6. The Trustee requests approval of this final report.
7. The Trustee has examined each and every claim filed and noted his approval of claims as filed, or he has filed objections to allowance or requests for reclassification.
8. The Trustee further requests that after final distribution of all monies in accordance with the Trustee's Report of Final Distribution, and upon filing of A Supplemental Final Report and Account and certification by the U.S. Trustee the trustee be discharged from office and that the case be closed.

I declare under penalty of perjury that this Report and attached Schedules are true and correct to the best of my knowledge and belief.

Dated: August 2, 2004

/s/ Stephen J. Zayler

Stephen J. Zayler Trustee

SCHEDULE A-1

FINAL ACCOUNT AS OF August 2, 2004

A. RECEIPTS	\$41,446.19
-------------	-------------

B. DISBURSEMENTS

(1) Secured creditors	0.00
(2) Administrative	19,174.66
(3) Priority	0.00
(4) Other	0.00

TOTAL DISBURSEMENTS	\$19,174.66
---------------------	-------------

BALANCE OF FUNDS	\$22,271.53
------------------	-------------

FORM 1
INDIVIDUAL ESTATE PROPERTY RECORD AND REPORT
ASSET CASES

Page: 1

Case No: 00-12106 BP1 Judge: BILL PARKER
Case Name: SMITH, MARCLEAIN

Trustee Name: Stephen J. Zayler
Date Filed (f) or Converted (c): 11/07/00 (f)
341(a) Meeting Date: 01/05/01
Claims Bar Date: 04/16/01

For Period Ending: 08/02/04

1	2	3	4	5	6
Asset Description (Scheduled and Unscheduled (u) Property)	Petition/ Unscheduled Values	Estimated Net Value (Value Determined by Trustee, Less Liens, Exemptions, and Other Costs)	Property Abandoned OA=554(a) Abandon DA=554(c) Abandon	Sale/Funds Received by the Estate	Asset Fully Administered (FA)/ Gross Value of Remaining Assets
1. HOMESTEAD	98,000.00	0.00	DA	0.00	FA
2. LOT - BEAUMONT	930.00	930.00		0.00	FA
3. HOUSEHOLD GOODS	3,200.00	0.00		0.00	FA
4. WEARING APPAREL	200.00	0.00		0.00	FA
5. JEWELRY	400.00	0.00		0.00	FA
6. CARPENTER'S RETIREMENT	15,000.00	0.00		0.00	FA
7. LABORER'S RETIREMENT	15,000.00	0.00		0.00	FA
8. LAWSUIT - DEBTOR TO REIMBURSE FUNDS (u) REIMBURSEMENT OF FUNDS RECIEVED AFTER FILING	Unknown	1,229.71		1,229.71	FA
9. 1989 DODGE	1,000.00	0.00		0.00	FA
10. Post-Petition Interest Deposits (u)	Unknown	N/A		72.48	Unknown
11. ASBESTOS LAWSUIT	4,000.00	4,000.00		40,144.00	FA

	Gross Value of Remaining Assets		Gross Value of Remaining Assets	
TOTALS (Excluding Unknown Values)	\$ 137,730.00	\$ 6,159.71	\$ 41,446.19	\$0.00
				(Total Dollar Amount in Column 6)

Major activities affecting case closing which are not reflected above, and matters pending, date of hearing or sale, and other action:

Initial Projected Date of Final Report (TFR): 12/31/02 Current Projected Date of Final Report (TFR): 12/31/04

FORM 2

Page: 1

ESTATE CASH RECEIPTS AND DISBURSEMENTS RECORD

Case No: 00-12106 BP1
Case Name: SMITH, MARCLEAIN

Trustee Name: Stephen J. Zayler
Bank Name: BANK OF AMERICA
Account Number: 3752493328 Checking - Non Interest

Taxpayer ID No: 75-6600425
For Period Ending: 08/02/04

Blanket Bond (per case limit): \$ 300,000.00
Separate Bond (if applicable):

1	2	3	4		5	6	7
Transaction Date	Check or Reference	Paid To / Received From	Description Of Transaction	T-Code	Deposits (\$)	Disbursements (\$)	Account Balance (\$)
08/02/04		Transfer from Acct #3754223994	BALANCE FORWARD Transfer In From MMA Account	9999-000	22,271.53		0.00 22,271.53

COLUMN TOTALS	22,271.53	0.00	22,271.53
Less: Bank Transfers	22,271.53	0.00	
Subtotal	0.00	0.00	
Less: Payments to Debtors		0.00	
Net	0.00	0.00	

Page Subtotals 22,271.53 0.00

FORM 2

Page: 2

ESTATE CASH RECEIPTS AND DISBURSEMENTS RECORD

Case No: 00-12106 BP1
Case Name: SMITH, MARCLEAIN

Trustee Name: Stephen J. Zayler
Bank Name: BANK OF AMERICA
Account Number: 3754223994 Money Market - Interest Bearing

Taxpayer ID No: 75-6600425
For Period Ending: 08/02/04

Blanket Bond (per case limit): \$ 300,000.00
Separate Bond (if applicable):

1	2	3	4		5	6	7
Transaction Date	Check or Reference	Paid To / Received From	Description Of Transaction	T-Code	Deposits (\$)	Disbursements (\$)	Account Balance (\$)
			BALANCE FORWARD				0.00
04/19/01	8	MARCELAIN SMITH	REIMBURSEMENT TO ESTATE OF LAWSUIT PROCEEDS.	1290-000	50.00		50.00
04/30/01	10	BANK OF AMERICA	Interest Rate 2.350	1270-000	0.03		50.03
05/14/01	8	MARCELAIN SMITH	REIMBURSEMENT TO ESTATE OF LAWSUIT PROCEEDS.	1290-000	50.00		100.03
05/31/01	10	BANK OF AMERICA	Interest Rate 2.350	1270-000	0.15		100.18
06/11/01	8	MARCLEAIN SMITH	REIMBURSEMENT TO ESTATE OF SETTLEMENT PROCEEDS REC'D. POST-PETITION	1290-000	50.00		150.18
06/29/01	10	BANK OF AMERICA	Interest Rate 2.100	1270-000	0.21		150.39
07/17/01	8	MARCLEAIN SMITH	REIMBURSEMENT TO ESTATE OF SETTLEMENT PROCEEDS REC'D. POST PETITION	1290-000	50.00		200.39
07/31/01	10	BANK OF AMERICA	Interest Rate 2.100	1270-000	0.31		200.70
08/06/01	8	MARCLEAIN SMITH	REIMBURSEMENT TO ESTATE OF SETTLEMENT PROCEEDS REC'D. POST-PETITION	1290-000	50.00		250.70
08/31/01	10	BANK OF AMERICA	Interest Rate 2.100	1270-000	0.42		251.12
09/10/01	8	Marcleain Smith	Reimbursement of Lawsuit Proceeds Received Post-Petition	1290-000	50.00		301.12
09/28/01	10	BANK OF AMERICA	Interest Rate 2.100	1270-000	0.45		301.57
10/09/01	8	MARCLEAIN SMITH	REIMBURSEMENT OF LAWSUIT PROCEEDS	1290-000	50.00		351.57
10/31/01	10	BANK OF AMERICA	Interest Rate 2.100	1270-000	0.63		352.20
11/08/01	8	MARCLEAIN SMITH	REIMBURSEMENT TO ESTATE OF LAWSUIT	1290-000	50.00		402.20
11/30/01	10	BANK OF AMERICA	Interest Rate 1.500	1270-000	0.55		402.75
12/12/01	8	MARCLEAIN SMITH	REIMBURSEMENT TO ESTATE OF LAWSUIT	1290-000	50.00		452.75
12/31/01	10	BANK OF AMERICA	Interest Rate 1.500	1270-000	0.54		453.29
01/30/02	8	MARCLEAIN SMITH	REIMBURSEMENT TO ESTATE OF LAWSUIT	1290-000	50.00		503.29

Page Subtotals 503.29 0.00

FORM 2

Page: 3

ESTATE CASH RECEIPTS AND DISBURSEMENTS RECORD

Case No: 00-12106 BP1
Case Name: SMITH, MARCLEAIN

Trustee Name: Stephen J. Zayler
Bank Name: BANK OF AMERICA
Account Number: 3754223994 Money Market - Interest Bearing

Taxpayer ID No: 75-6600425
For Period Ending: 08/02/04

Blanket Bond (per case limit): \$ 300,000.00
Separate Bond (if applicable):

1	2	3	4		5	6	7
Transaction Date	Check or Reference	Paid To / Received From	Description Of Transaction	T-Code	Deposits (\$)	Disbursements (\$)	Account Balance (\$)
01/31/02	10	BANK OF AMERICA	Interest Rate 1.500	1270-000	0.58		503.87
02/18/02	8	MARCLEAIN SMITH	REIMBURSEMENT OF LAWSUIT PROCEEDS	1290-000	50.00		553.87
02/28/02	10	BANK OF AMERICA	Interest Rate 1.500	1270-000	0.59		554.46
03/18/02	8	MARCLEAIN SMITH	REIMBURSEMENT OF LAWSUIT PROCEEDS	1142-000	50.00		604.46
03/29/02	10	BANK OF AMERICA	Interest Rate 1.200	1270-000	0.60		605.06
04/17/02	8	MARCLEAIN SMITH	REIMBURSEMENT OF LAWSUIT PROCEEDS	1142-000	50.00		655.06
04/19/02	11	SILBER PEARLMAN, L.L.P.	PARTIAL LAWSUIT PROCEEDS	1142-000	500.00		1,155.06
04/19/02	11	SILBER PEARLMAN, L.L.P.	PARTIAL SETTLEMENT PROCEEDS	1142-000	2,500.00		3,655.06
04/19/02	11	SILBER PEARLMAN, L.L.P.	PARTIAL SETTLEMENT PROCEEDS	1142-000	4,600.00		8,255.06
04/30/02	10	BANK OF AMERICA	Interest Rate 1.200	1270-000	2.61		8,257.67
05/06/02	8	MARCLEAIN SMITH	REIMBURSEMENT OF LAWSUIT PROCEEDS	1142-000	50.00		8,307.67
05/15/02	000101	SILBER PEARLMAN LLP 2711 N. HASKELL AVENUE 5TH FLOOR DALLAS, TEXAS 75204	SPECIAL COUNSEL FEES & EXPENSES PER COURT ORDER ENTERED 1/2/02			4,503.76	3,803.91
			Fees 2,665.00	3210-000			3,803.91
			Expenses 1,838.76	3220-000			3,803.91
05/31/02	10	BANK OF AMERICA	Interest Rate 1.200	1270-000	8.01		3,811.92
06/12/02	8	MARCLEAIN SMITH	REIMBURSEMENT OF LAWSUIT PROCEEDS	1142-000	50.00		3,861.92
06/28/02	10	BANK OF AMERICA	Interest Rate 1.200	1270-000	3.78		3,865.70
07/22/02	8	MARCLEAIN SMITH 3715 ROLAND RD BEAUMONT, TX 77708-3211	REIMBURSEMENT TO ESTATE OF LAWSUIT	1142-000	50.00		3,915.70
07/31/02	10	BANK OF AMERICA	Interest Rate 1.200	1270-000	3.96		3,919.66
08/28/02	8	MARCLEAIN SMITH	REIMBURSEMENT TO ESTATE OF LAWSUIT	1142-000	50.00		3,969.66
08/30/02	10	BANK OF AMERICA	Interest Rate 1.200	1270-000	3.99		3,973.65
09/18/02	8	MARCLEAIN SMITH	REIMBURSEMENT TO ESTATE OF LAWSUIT	1142-000	50.00		4,023.65
09/30/02	10	BANK OF AMERICA	Interest Rate 1.200	1270-000	3.94		4,027.59
10/25/02	8	MARCLEAIN SMITH	REIMBURSEMENT OF LAWSUIT	1110-000	50.00		4,077.59

Page Subtotals 8,078.06 4,503.76

FORM 2

Page: 4

ESTATE CASH RECEIPTS AND DISBURSEMENTS RECORD

Case No: 00-12106 BP1
Case Name: SMITH, MARCLEAIN

Trustee Name: Stephen J. Zayler
Bank Name: BANK OF AMERICA
Account Number: 3754223994 Money Market - Interest Bearing

Taxpayer ID No: 75-6600425
For Period Ending: 08/02/04

Blanket Bond (per case limit): \$ 300,000.00
Separate Bond (if applicable):

1	2	3	4		5	6	7
Transaction Date	Check or Reference	Paid To / Received From	Description Of Transaction	T-Code	Deposits (\$)	Disbursements (\$)	Account Balance (\$)
10/31/02	10	BANK OF AMERICA	Interest Rate 1.200	1270-000	4.11		4,081.70
11/27/02	8	MARCLEAIN SMITH	REIMBURSEMENT OF LAWSUIT PROCEEDS	1142-000	50.00		4,131.70
11/29/02	10	BANK OF AMERICA	Interest Rate 0.850	1270-000	3.32		4,135.02
12/23/02	8	MARCLEAIN SMITH	REIMBURSEMENT OF SETTLEMENT PROCEED	1142-000	50.00		4,185.02
12/31/02	10	BANK OF AMERICA	Interest Rate 0.850	1270-000	2.99		4,188.01
01/17/03	8	MARCLEAIN SMITH	REIMBURSEMENT OF LAWSUIT PROCEEDS	1142-000	50.00		4,238.01
01/31/03	10	BANK OF AMERICA	Interest Rate 0.850	1270-000	3.03		4,241.04
02/17/03	8	MARCLEAIN SMITH	REIMBURSEMENT TO ESTATE OF LAWSUIT	1242-000	50.00		4,291.04
02/28/03	10	BANK OF AMERICA	Interest Rate 0.850	1270-000	2.78		4,293.82
03/05/03	8	MARCLEAIN SMITH	REIMBURSEMENT OF LAWSUIT PROCEEDS	1242-000	79.71		4,373.53
03/31/03	10	BANK OF AMERICA	Interest Rate 0.500	1270-000	1.97		4,375.50
04/30/03	10	BANK OF AMERICA	Interest Rate 0.500	1270-000	1.80		4,377.30
05/30/03	10	BANK OF AMERICA	Interest Rate 0.500	1270-000	1.85		4,379.15
06/30/03	10	BANK OF AMERICA	Interest Rate 0.500	1270-000	1.81		4,380.96
07/31/03	10	BANK OF AMERICA	Interest Rate 0.200	1270-000	0.74		4,381.70
08/29/03	10	BANK OF AMERICA	Interest Rate 0.200	1270-000	0.74		4,382.44
09/30/03	10	BANK OF AMERICA	Interest Rate 0.200	1270-000	0.73		4,383.17
10/31/03	10	BANK OF AMERICA	Interest Rate 0.200	1270-000	0.74		4,383.91
11/28/03	10	BANK OF AMERICA	Interest Rate 0.200	1270-000	0.71		4,384.62
12/31/03	10	BANK OF AMERICA	Interest Rate 0.100	1270-000	0.38		4,385.00
01/30/04	10	BANK OF AMERICA	Interest Rate 0.100	1270-000	0.37		4,385.37
02/27/04	10	BANK OF AMERICA	Interest Rate 0.100	1270-000	0.35		4,385.72
03/26/04	11	SILBER PEARLMAN, LLP	PARTIAL SETTLEMENT PROCEEDS	1142-000	5,000.00		9,385.72
03/26/04	11	SILBER PEARLMAN, LLP	PARTIAL SETTLEMENT PROCEEDS	1142-000	1,814.00		11,199.72
03/26/04	11	SILBER PEARLMAN, LLP	PARTIAL SETTLEMENT PROCEEDS	1142-000	800.00		11,999.72
03/26/04	11	SILBER PEARLMAN, LLP	PARTIAL SETTLEMENT PROCEEDS	1142-000	1,890.00		13,889.72
03/26/04	11	SILBER PEARLMAN, LLP	PARTIAL SETTLEMENT PROCEEDS	1142-000	3,000.00		16,889.72
03/26/04	11	SILBER PEARLMAN, LLP	PARTIAL SETTLEMENT PROCEEDS	1142-000	1,600.00		18,489.72

Page Subtotals 14,412.13 0.00

FORM 2

ESTATE CASH RECEIPTS AND DISBURSEMENTS RECORD

Page: 5

Case No: 00-12106 BP1
Case Name: SMITH, MARCLEAIN

Trustee Name: Stephen J. Zayler
Bank Name: BANK OF AMERICA
Account Number: 3754223994 Money Market - Interest Bearing

Taxpayer ID No: 75-6600425
For Period Ending: 08/02/04

Blanket Bond (per case limit): \$ 300,000.00
Separate Bond (if applicable):

1	2	3	4		5	6	7
Transaction Date	Check or Reference	Paid To / Received From	Description Of Transaction	T-Code	Deposits (\$)	Disbursements (\$)	Account Balance (\$)
03/26/04	11	SILBER PEARLMAN, LLP	PARTIAL SETTLEMENT PROCEEDS	1142-000	2,250.00		20,739.72
03/26/04	11	SILBER PEARLMAN, LLP	PARTIAL SETTLEMENT PROCEEDS	1142-000	172.50		20,912.22
03/26/04	11	SILBER PEARLMAN, LLP	PARTIAL SETTLEMENT PROCEEDS	1142-000	2,800.00		23,712.22
03/26/04	11	SILBER PEARLMAN, LLP	PARTIAL SETTLEMENT PROCEEDS	1142-000	5,000.00		28,712.22
03/26/04	11	SILBER PEARLMAN, LLP	PARTIAL SETTLEMENT PROCEEDS	1142-000	637.50		29,349.72
03/26/04	11	SILBER PEARLMAN, LLP	PARTIAL SETTLEMENT PROCEEDS	1142-000	80.00		29,429.72
03/26/04	11	SILBER PEARLMAN, LLP	PARTIAL SETTLEMENT PROCEEDS	1142-000	7,500.00		36,929.72
03/31/04	10	BANK OF AMERICA	Interest Rate 0.100	1270-000	0.55		36,930.27
04/30/04	10	BANK OF AMERICA	Interest Rate 0.100	1270-000	3.03		36,933.30
05/10/04	000102	SILBER PEARLMAN LLP 2711 N. HASKELL AVENUE 5TH FLOOR DALLAS, TEXAS 75204	SPECIAL COUNSEL FEES & EXPENSES PER COURT ORDER ENTERED 1/2/02 PER COURT ORDER ENTERED 5/6/04			13,392.98	23,540.32
			Fees 13,017.60	3210-000			23,540.32
			Expenses 375.38	3220-000			23,540.32
05/28/04	10	BANK OF AMERICA	Interest Rate 0.100	1270-000	3.13		23,543.45
06/30/04	10	BANK OF AMERICA	Interest Rate 0.100	1270-000	3.03		23,546.48
06/30/04	000103	STEPHEN J. ZAYLER ATTORNEY AT LAW P. O. BOX 150743 LUFKIN, TX 75915-0743	ATTORNEY FOR TRUSTEE FEES & EXPENSE PER COURT ORDER 6/29/04			1,277.92	22,268.56
			Fees 881.00	3110-000			22,268.56
			Expenses 396.92	3120-000			22,268.56
07/30/04	10	BANK OF AMERICA	Interest Rate 0.100	1270-000	2.91		22,271.47
08/02/04	10	BANK OF AMERICA	INTEREST REC'D FROM BANK	1270-000	0.06		22,271.53
08/02/04		Transfer to Acct #3752493328	Final Posting Transfer	9999-000		22,271.53	0.00

Page Subtotals

18,452.71

36,942.43

FORM 2

Page: 6

ESTATE CASH RECEIPTS AND DISBURSEMENTS RECORD

Case No: 00-12106 BP1
Case Name: SMITH, MARCLEAIN

Trustee Name: Stephen J. Zayler
Bank Name: BANK OF AMERICA
Account Number: 3754223994 Money Market - Interest Bearing

Taxpayer ID No: 75-6600425
For Period Ending: 08/02/04

Blanket Bond (per case limit): \$ 300,000.00
Separate Bond (if applicable):

1	2	3	4		5	6	7
Transaction Date	Check or Reference	Paid To / Received From	Description Of Transaction	T-Code	Deposits (\$)	Disbursements (\$)	Account Balance (\$)
			COLUMN TOTALS		41,446.19	41,446.19	0.00
			Less: Bank Transfers		0.00	22,271.53	
			Subtotal		41,446.19	19,174.66	
			Less: Payments to Debtors			0.00	
			Net		41,446.19	19,174.66	
			TOTAL - ALL ACCOUNTS		NET DEPOSITS	NET DISBURSEMENTS	ACCOUNT BALANCE
			Checking - Non Interest - 3752493328		0.00	0.00	22,271.53
			Money Market - Interest Bearing - 3754223994		41,446.19	19,174.66	0.00
					-----	-----	-----
					41,446.19	19,174.66	22,271.53
					=====	=====	=====

Page Subtotals 0.00 0.00

SCHEDULE B

APPLICATION FOR COMPENSATION

COMPUTATION OF COMMISSIONS

Receipts	\$35,175.57	25% of First \$5,000	\$1,250.00
Less	-\$5,000	(\$1,250.00 Max)	
Balance	\$30,175.57	10% of Next \$45,000	\$3,017.56
Less	-\$45,000	(\$4,500.00 Max)	
Balance	\$0.00	5% of Next \$950,000	\$0.00
Less	-\$950,000	(\$47,500.00 Max)	
Balance	\$0.00	3% of Balance	\$0.00

TOTAL COMPENSATION REQUESTED \$4,267.56

TRUSTEE EXPENSES:

Premium on Trustee's Bond	\$0.00
Travel (0.00 at 0.00cents per mile)	\$0.00
Copies (470.00 page at 4.65 cents per copy)	\$126.30
Postage	\$33.35
Telephone Charges	\$6.00
Clerical/Secretarial (11.00 at 25.00 per hour)	\$275.00
Paralegal/Assistance (0.00 at 0.00 per hour)	\$0.00
Supplies/Stationary	\$2.45
Distribution Expenses	\$0.00
Miscellaneous	\$0.14

TOTAL EXPENSES \$443.24

Records : Trustee did not take possession of
business or personal records of Debtor.

x

Notice given debtor on
to pick up business or personal records
in hands of Trustee.

Compensation and Expenses Worksheet

Case Number: 00-12106 BP1

Debtor: SMITH, MARCLEAIN

1. COMPUTATION OF COMPENSATION

Total disbursements to other than the debtor are:

Pursuant to 11 U.S.C. § 326, compensation is computed as follows:			\$35,175.57
	\$35,175.57	25% of First \$5,000	\$1,250.00
Less -	\$5,000.00	(\$1,250 Maximum)	
Balance	\$30,175.57	10% of Next \$45,000	\$3,017.56
Less -	\$30,175.57	(\$4,500 Maximum)	
Balance	\$0.00	5% of Next \$950,000	\$0.00
Less -	\$0.00	(\$47,500 Maximum)	
Balance	\$0.00	3% of Balance	\$0.00
TOTAL COMPENSATION CALCULATED:			\$4,267.56
Less Previously Paid Compensation:			\$0.00
TOTAL COMPENSATION REQUESTED:			\$4,267.56

2. TRUSTEE EXPENSES

The Trustee has incurred the following expenses:

01/16/01	COPY: Photocopy/Duplication Expense 2 pages @ 0.2500 / page	\$0.50
01/16/01	POST: Postage 2 each @ 0.3400 / each	\$0.68
01/17/01	COPY: Photocopy/Duplication Expense 1 page @ 0.2500 / page	\$0.25
02/20/01	COPY: Photocopy/Duplication Expense 1 page @ 0.2500 / page	\$0.25
02/20/01	POST: Postage 1 each @ 0.3400 / each	\$0.34
03/28/01	COPY: Photocopy/Duplication Expense 1 page @ 0.2500 / page	\$0.25
04/19/01	COPY: Photocopy/Duplication Expense 3 pages @ 0.2500 / page	\$0.75
05/14/01	COPY: Photocopy/Duplication Expense 2 pages @ 0.2500 / page	\$0.50
06/11/01	COPY: Photocopy/Duplication Expense 3 pages @ 0.2500 / page	\$0.75
07/16/01	COPY: Photocopy/Duplication Expense 60 pages @ 0.2500 / page	\$15.00
08/06/01	COPY: Photocopy/Duplication Expense 3 pages @ 0.2500 / page	\$0.75
08/08/01	COPY: Photocopy/Duplication Expense 1 page @ 0.2500 / page	\$0.25
08/08/01	PHONE: Telephone Expense 1 @ 3.0000 214-824-8100	\$3.00
08/08/01	POST: Postage 1 each @ 0.3400 / each	\$0.34
08/16/01	MISC: Miscellaneous Expense 1 @ 0.1400	\$0.14

Compensation and Expenses Worksheet

Case Number: 00-12106 BP1

Debtor: SMITH, MARCLEAIN

	Pacer	
08/17/01	COPY: Photocopy/Duplication Expense 172 pages @ 0.2500 / page	\$43.00
08/17/01	POST: Postage 1 each @ 1.2600 / each	\$1.26
08/17/01	POST: Postage 1 each @ 2.2800 / each	\$2.28
08/17/01	POST: Postage 51 each @ 0.3400 / each	\$17.34
09/10/01	COPY: Photocopy/Duplication Expense 3 pages @ 0.2500 / page	\$0.75
10/22/01	PHONE: Telephone Expense 1 @ 1.0000 214-874-7000	\$1.00
10/22/01	PHONE: Telephone Expense 1 @ 1.0000 214-874-7000	\$1.00
10/25/01	COPY: Photocopy/Duplication Expense 6 pages @ 0.2500 / page	\$1.50
11/05/01	COPY: Photocopy/Duplication Expense 5 pages @ 0.2500 / page	\$1.25
11/08/01	COPY: Photocopy/Duplication Expense 2 pages @ 0.2500 / page	\$0.50
11/08/01	COPY: Photocopy/Duplication Expense 1 page @ 0.2500 / page	\$0.25
12/12/01	COPY: Photocopy/Duplication Expense 2 pages @ 0.2500 / page	\$0.50
01/30/02	COPY: Photocopy/Duplication Expense 2 pages @ 0.2500 / page	\$0.50
02/16/02	COPY: Photocopy/Duplication Expense 2 pages @ 0.2500 / page	\$0.50
03/18/02	COPY: Photocopy/Duplication Expense 3 pages @ 0.2500 / page	\$0.75
03/27/02	COPY: Photocopy/Duplication Expense 1 page @ 0.2500 / page	\$0.25
03/27/02	POST: Postage 1 each @ 0.3400 / each	\$0.34
04/17/02	COPY: Photocopy/Duplication Expense 3 pages @ 0.2500 / page	\$0.75
05/06/02	COPY: Photocopy/Duplication Expense 3 pages @ 0.2500 / page	\$0.75
05/20/02	COPY: Photocopy/Duplication Expense 2 pages @ 0.2500 / page	\$0.50
05/20/02	POST: Postage 1 each @ 3.9400 / each	\$3.94
06/12/02	COPY: Photocopy/Duplication Expense 3 pages @ 0.2500 / page	\$0.75
07/22/02	COPY: Photocopy/Duplication Expense 3 pages @ 0.2500 / page	\$0.75
08/28/02	COPY: Photocopy/Duplication Expense 3 pages @ 0.2500 / page	\$0.75
09/18/02	COPY: Photocopy/Duplication Expense 1 page @ 0.2500 / page	\$0.25
09/18/02	COPY: Photocopy/Duplication Expense 3 pages @ 0.2500 / page	\$0.75
10/08/02	COPY: Photocopy/Duplication Expense 4 pages @ 0.2500 / page	\$1.00
10/08/02	POST: Postage 1 each @ 0.7400 / each	\$0.74
10/28/02	COPY: Photocopy/Duplication Expense 3 pages @ 0.2500 / page	\$0.75
11/27/02	COPY: Photocopy/Duplication Expense 3 pages @ 0.2500 / page	\$0.75
12/20/02	COPY: Photocopy/Duplication Expense 12 pages @ 0.2500 / page	\$3.00
01/17/03	COPY: Photocopy/Duplication Expense 3 pages @ 0.2500 / page	\$0.75
01/22/03	COPY: Photocopy/Duplication Expense 1 page @ 0.2500 / page	\$0.25

Compensation and Expenses Worksheet

Case Number: 00-12106 BP1

Debtor: SMITH, MARCLEAIN

01/22/03	POST: Postage 1 each @ 0.3700 / each	\$0.37
01/24/03	POST: Postage 1 each @ 0.3700 / each	\$0.37
02/21/04	PHONE: Telephone Expense 1 @ 1.0000 214-874-7000	\$1.00
06/25/04	COPY: Photocopy/Duplication Expense 41 pages @ 0.2500 / page	\$10.25
06/25/04	SUPPLY: Supplies & Stationery 5 @ 0.2000 Manilla Folder	\$1.00
06/25/04	SUPPLY: Supplies & Stationery 1 @ 1.4500 Expandable Folder	\$1.45
07/07/04	POST: Postage 1 each @ 0.8300 / each	\$0.83
08/02/04	COPY: Photocopy/Duplication Expense 87 pages @ 0.2500 / page	\$21.75
08/02/04	COPY: Photocopy/Duplication Expense 2 pages @ 4.6500 / page	\$9.30
08/02/04	COPY: Photocopy/Duplication Expense 1 page @ 0.2500 / page	\$0.25
08/02/04	COPY: Photocopy/Duplication Expense 16 pages @ 0.2500 / page	\$4.00
08/02/04	POST: Postage 4 each @ 0.3700 / each	\$1.48
08/02/04	POST: Postage 2 each @ 1.5200 / each	\$3.04
08/02/04	SEC: Secretarial Expense 11 @ 25.0000	\$275.00

Expense Summary

COPY: Photocopy/Duplication Expense 468 pages @ 0.25 / page	\$117.00
COPY: Photocopy/Duplication Expense 2 pages @ 4.65 / page	\$9.30
MISC: Miscellaneous Expense 1 @ 0.14	\$0.14
PHONE: Telephone Expense 3 @ 1.00	\$3.00
PHONE: Telephone Expense 1 @ 3.00	\$3.00
POST: Postage 56 each @ 0.34 / each	\$19.04
POST: Postage 6 each @ 0.37 / each	\$2.22
POST: Postage 1 each @ 0.74 / each	\$0.74
POST: Postage 1 each @ 0.83 / each	\$0.83
POST: Postage 1 each @ 1.26 / each	\$1.26
POST: Postage 2 each @ 1.52 / each	\$3.04
POST: Postage 1 each @ 2.28 / each	\$2.28
POST: Postage 1 each @ 3.94 / each	\$3.94
SEC: Secretarial Expense 11 @ 25.00	\$275.00
SUPPLY: Supplies & Stationery 5 @ 0.20	\$1.00
SUPPLY: Supplies & Stationery 1 @ 1.45	\$1.45

TOTAL EXPENSES CALCULATED:

\$443.24

Less Previously Paid Expenses:

\$0.00

Compensation and Expenses Worksheet

Case Number: 00-12106 BP1
Debtor: SMITH, MARCLEAIN

TOTAL EXPENSES REQUESTED:

\$443.24

TOTAL EXPENSES AND COMPENSATION REQUESTED:

=====

\$4,710.80

DATED: 08/02/04

/s/ Stephen J. Zayler

SIGNED _____

TRUSTEE: Stephen J. Zayler

P. O. Box 150743

Lufkin, TX 75915-0743

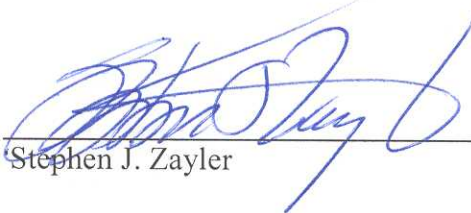
THE STATE OF TEXAS)

COUNTY OF)

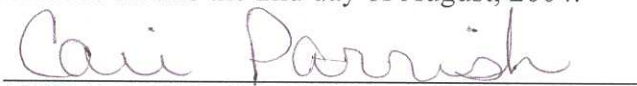
BEFORE ME, the undersigned authority on this date personally appeared Stephen J. Zayler, and under oath stated the following:

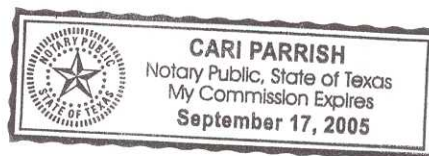
"I, Stephen J. Zayler, am the duly appointed Trustee in the Marcleain Smith bankruptcy proceeding. I am hereby making application for the maximum amount of Trustee fees, as it is my opinion that the maximum amount was earned by me in carrying out my duties as Trustee. I held the 341a meeting, collected lawsuit proceeds, and had numerous conferences and correspondence with the debtor, and the debtors' attorney. Further, I performed all other numerous duties of a Trustee, including, but not limited to, preparing Trustee's Final Report, will make disbursements and will prepare the Supplemental Final Report.

All compensable paralegal time was submitted for consideration and by the Court in the Application for Compensation and Reimbursement for Expenses for Attorney for the Trustee. No Compensation was sought for any paralegal professional time in this report.


Stephen J. Zayler

SWORN TO AND SUBSCRIBED TO before me on this the 2nd day of August, 2004.


NOTARY PUBLIC, THE STATE OF TEXAS



ITEMIZATION OF SECRETARIAL AND CLERICAL TIME

April 19, 2001 - Load asset, lien, and exemption information;
(CP - .60)

April 19, 2001 - Open new account, load new account information;
(CP - .10)

April 19, 2001 - Prepare W-9 Form;
(CP - .10)

April 19, 2001 - Prepare deposit, post, and transmit;
(CP - .20)

May 14, 2001 - Prepare deposit, post, and transmit;
(CP- .20)

May 15, 2001 - Reconcile Bank Statement;
(MB - .10)

June 11, 2001 - Prepare deposit, post, and transmit;
(CP - .20)

June 13, 2001 - Reconcile Bank Statement;
(MB - .10)

July 12, 2001 - Reconcile Bank Statement;
(MB - .10)

August 6, 2001 - Prepare deposit, post, and transmit;
(CP - .20)

August 13, 2001 - Reconcile Bank Statement;
(MB - .10)

September 10, 2001 - Prepare deposit, post, and transmit;
(CP - .20)

September 17, 2001 - Reconcile Bank Statement;
(MB - .10)

October 16, 2001 - Reconcile Bank Statement;
(MB - .10)

November 16, 2001 - Reconcile Bank Statement;

bankrupt.trustee.sec.cla

(MB - .10)

December 17, 2001 - Reconcile Bank Statement;
(MB - .10)

January 17, 2002 - Reconcile Bank Statement;
(MB - .10)

February 12, 2002 - Reconcile Bank Statement;
(MB - .10)

February 18, 2002 - Prepare deposit, post, and transmit;
(CP - .20)

March 11, 2002 - Reconcile Bank Statement;
(MB - .10)

March 18, 2002 - Prepare deposit, post, and transmit;
(CP - .20)

April 11, 2002 - Reconcile Bank Statement;
(MB - .10)

April 17, 2002 - Prepare deposit, post, and transmit;
(CP - .20)

April 19, 2002 - Prepare 3 (three) deposits, post, and transmit;
(CP - .50)

May 6, 2002 - Prepare deposit, post, and transmit;
(CP - .20)

May 15, 2002 - Prepare check to Silber Pearlman for Special Counsel
Fees and Expenses;
(CP - .20)

May 15, 2002 - Reconcile Bank Statement;
(MB - .10)

June 12, 2002 - Prepare deposit, post, and transmit;
(CP - .20)

June 13, 2002 - Reconcile Bank Statement;
(MB - .10)

July 22, 2002 - Reconcile Bank Statement;

bankrupt.trustee.sec.cla

(MB - .10)

July 22, 2002 - Prepare deposit, post, and transmit;
(CP - .20)

August 13, 2002 - Reconcile Bank Statement;
(MB - .10)

September 11, 2002 - Reconcile Bank Statement;
(MB - .10)

September 18, 2002 - Prepare deposit, post, and transmit;
(CP - .20)

October 11, 2002 - Reconcile Bank Statement;
(MB - .10)

October 25, 2002 - Prepare deposit, post, and transmit;
(CP - .20)

November 14, 2002 - Reconcile Bank Statement;
(MB - .10)

November 27, 2002 - Prepare deposit, post, and transmit;
(CP - .20)

December 13, 2002 - Reconcile Bank Statement;
(MB - .10)

December 23, 2002 - Prepare deposit, post, and transmit;
(CP - .20)

January 13, 2003 - Reconcile Bank Statement;
(MB - .10)

January 17, 2003 - Prepare deposit, post, and transmit;
(CP - .20)

January 24, 2003 - Load Claim Information;
(CP - .60)

February 12, 2003 - Reconcile Bank Statement;
(MB - .10)

February 17, 2003 - Prepare deposit, post, and transmit;
(CP - .20)

Itemization of Secretarial & Clerical Time - Page 3

bankrupt.trustee.sec.cla

March 5, 2003 - Prepare deposit, post, and transmit;
(CP - .20)

March 12, 2003 - Reconcile Bank Statement;
(MB - .10)

April 11, 2003 - Reconcile Bank Statement;
(MB - .10)

May 14, 2003 - Reconcile Bank Statement;
(MB - .10)

June 13, 2003 - Reconcile Bank Statement;
(MB - .10)

July 15, 2003 - Reconcile Bank Statement;
(MB - .10)

August 12, 2003 - Reconcile Bank Statement;
(MB - .10)

September 12, 2003 - Reconcile Bank Statement;
(MB - .10)

October 15, 2003 - Reconcile Bank Statement;
(MB - .10)

November 17, 2003 - Reconcile Bank Statement;
(MB - .10)

December 17, 2003 - Reconcile Bank Statement;
(MB - .10)

January 15, 2004 - Reconcile Bank Statement;
(MB - .10)

February 13, 2004 - Reconcile Bank Statement;
(MB - .10)

March 10, 2004 - Reconcile Bank Statement;
(MB - .10)

March 26, 2004 - Prepare 13 (thirteen) deposits, post, and transmit;
(CP - .60)

bankrupt.trustee.sec.cla

April 16, 2004 - Reconcile Bank Statement;
(MB - .10)

May 14, 2004 - Reconcile Bank Statement;
(MB - .10)

June 14, 2004 - Reconcile Bank Statement;
(MB - .10)

June 25, 2004 - Request Court Costs;
(CP - .10)

June 30, 2004 - Prepare check to Attorney for Trustee for fees and
expenses;
(CP - .20)

July 14, 2004 - Reconcile Bank Statement;
(MB - .10)

August 2, 2004 - Compile Trustee's Final Report for Submission to U.
S. Trustee;
(CP - .30)

August 2, 2004 - Transfer funds from MMA to checking account at Bank
of America and post accrued interest;
(CP - .20)

RECAP OF SECRETARIAL & CLERICAL TIME:

CARI PARRISH	- 7.10 hrs. @ \$25.00/per hr. =	177.50
MILLIE REEVES	- 3.90 hrs. @ \$25.00/per hr. =	<u>97.50</u>
TOTAL:	11.00 hrs. @ \$25.00/per hr. = \$	275.00

ITEMIZATION OF TRUSTEE TIME

November 16, 2000 - Initial review of Schedules and Statement of Financial Affairs;

(SJZ - .20)

November 16, 2000 - Receipt of Notice of Appointment;

(SJZ - .10)

November 16, 2000 - Receipt and review of Notice of 341a meeting;

(SJZ - .10)

January 4, 2001 - Review of file prior to conducting 341a meeting;

(SJZ - .10)

January 4, 2001 - Prepare sign-in sheet;

(SJZ - .10)

January 5, 2001 - Conduct 341a meeting;

(SJZ - .20)

January 5, 2001 - Prepare proceeding memo;

(SJZ - .10)

January 9, 2001 - Review typed proceeding memo and execute same;

(SJZ - .10)

January 16, 2001 - Receive and calendar Order Fixing Bar Date for Claims;

(SJZ - .10)

February 21, 2001 - Telephone conference with Attorney Raphael Lery;

(SJZ - .10)

February 21, 2001 - Prepare letter to Raphael leery requesting information on asbestos case;

(SJZ - .20)

February 28, 2001 - Conference with J. Stoneham regarding repayment plan by Debtor to Estate on asbestos settlement received post-petition;

(SJZ - .10)

April 10, 2001 - Prepare Form 1 and Form 2;

(SJZ - .30)

April 19, 2001 - Review of W-9 for NationsBank and execute same;

(SJZ - .10)

April 19, 2001 - Review of deposit and initial deposit;

(SJZ - .10)

April 24, 2001 - Receive and review bank stamped deposit slip;

(SJZ - .10)

May 14, 2001 - Review of deposit and initial deposit;

(SJZ - .10)

May 15, 2001 - Receive and review correspondence from IRS;

(SJZ - .10)

May 15, 2001 - - Receipt of and review bank statement;
(SJZ - .10)

May 21, 2001 - Receive and review bank stamped deposit slip;
(SJZ - .10)

June 11, 2001 - Review of deposit and initial deposit;
(SJZ - .10)

June 13, 2001 - Receipt of and review bank statement;
(SJZ - .10)

June 14, 2001 - Receive and review bank stamped deposit slip;
(SJZ - .10)

July 12, 2001 - Receipt of and review bank statement;
(SJZ - .10)

July 23, 2001 - Receive and review bank stamped deposit slip;
(SJZ - .10)

August 6, 2001 - Review of deposit and initial deposit;
(SZJ - .10)

August 8, 2001 - Prepare letter requesting status report on case that we can
file six month report;
(SJZ - .20)

August 13, 2001 - Receipt of and review bank statement;
(SJZ - .10)

August 13, 2001 - Receive and review bank stamped deposit slip;
(SJZ - .10)

August 16, 2001 - Receive and review signed affidavit from Silber Pearlman;
(SJZ - .10)

August 20, 2001 - Review and execute Application to Employ Special Counsel;
(SJZ - .10)

September 10, 2001 - Review of deposit and initial deposit;
(SJZ - .10)

September 12, 2001 - Receive and review Order to Employ Special Counsel;
(SJZ - .10)

September 17, 2001 - Receive and review bank stamped deposit slip;
(SJZ - .10)

September 17, 2001 - Receipt of and review bank statement;
(SJZ - .10)

September 21, 2001 - Receive and review Order granting amended supplemental
application to employ special counsel;
(SJZ - .10)

October 15, 2001 - Receive and review bank stamped deposit slip;
(SJZ - .10)

October 16, 2001 - Receipt of and review bank statement;
(SJZ - .10)

October 22, 2001 - Prepare Form 1 and Form 2;
(SJZ - .30)

October 22, 2001 - Telephone conference requesting status of case;
(SJZ - .20)

November 13, 2001 - Telephone conference with Robbie Partida requesting fees & expenses;
(SJZ - .10)

November 14, 2001 - Receive and review bank stamped deposit slip;
(SJZ - .10)

November 16, 2001 - Receipt of and review bank statement;
(SJZ - .10)

November 16, 2001 - Receive and review information regarding attorney's fees;
(SJZ - .10)

November 28, 2001 - Review and execute Application to Pay Special Counsel;
(SJZ - .10)

November 28, 2001 - Review and execute Application to Approve Compromise Settlement Agreement;
(SJZ - .10)

November 28, 2001 - Review and execute Application to Employ Attorney for Trustee;
(SJZ - .10)

December 13, 2001 - Receipt of and review bank statement;
(SJZ - .10)

December 21, 2001 - - Receive and review bank stamped deposit slip;
(SJZ - .10)

January 8, 2002 - Receive and review Order granting Application to Pay Special Counsel;
(SJZ - .10)

January 15, 2002 - Receive and review Order to Approve Compromise Settlement Agreement;
(SJZ - .10)

January 17, 2002 - Receipt of and review bank statement;
(SJZ - .10)

February 12, 2002 - Receipt of and review bank statement;
(SJZ - .10)

February 18, 2002 - Review of deposit and initial deposit;
(SJZ - .10)

March 11, 2002 - Receipt of and review bank statement;
(SJZ - .10)

March 18, 2002 - Review of deposit and initial deposit;

(SJZ - .10)

April 11, 2002 - Receipt of and review bank statement;
(SJZ - .10)

April 16, 2002 - Prepare Form 1 and Form 2;
(SJZ - .30)

April 17, 2002 - Review of deposit and initial deposit;
(SJZ - .10)

April 19, 2002 - Review of 3 deposits and initial deposits;
(SJZ - .10)

April 22, 2002 - Receive and review bank stamped deposit slip;
(SJZ - .10)

April 29, 2002 - Receive and review bank stamped deposit slip;
(SJZ - .10)

April 29, 2002 - Receive and review 2 bank stamped deposit slip;
(SJZ - .10)

May 6, 2002 - Review of deposit and initial deposit;
(SJZ - .10)

May 13, 2002 - Receive and review bank stamped deposit slip;
(SJZ - .10)

May 15, 2002 - Receipt of and review bank statement;
(SJZ - .10)

May 15, 2002 - Review and execute check to Special Counsel for fees and expenses;
(SJZ - .10)

June 12, 2002 - Review of deposit and initial deposit;
(SJZ - .10)

June 13, 2002 - Receipt of and review bank statement;
(SJZ - .10)

June 19, 2002 - Receive and review bank stamped deposit slip;
(SJZ - .10)

July 12, 2002 - Receipt of and review bank statement;
(SJZ - .10)

July 22, 2002 - Review of deposit and initial deposit;
(SJZ - .10)

August 13, 2002 - Receipt of and review bank statement;
(SJZ - .10)

September 3, 2002 - Receive and review bank stamped deposit slip;
(SJZ - .10)

September 11, 2002 - Receipt of and review bank statement;
(SJZ - .10)

September 23, 2002 - Receive and review bank stamped deposit slip;
(SJZ - .10)

October 11, 2002 - Receipt of and review bank statement;
(SJZ - .10)

October 25, 2002 - Review of deposit and initial deposit;
(SJZ - .10)

November 4, 2002 - Receive and review bank stamped deposit slip;
(SJZ - .10)

November 14, 2002 - Receipt of and review bank statement;
(SJZ - .10)

November 27, 2002 - Review of deposit and initial deposit;
(SJZ - .10)

December 4, 2002 - Receive and review bank stamped deposit slip;
(SJZ - .10)

December 13, 2002 - Receipt of and review bank statement;
(SJZ - .10)

January 6, 2002 - Receive and review bank stamped deposit slip;
(SJZ - .10)

January 13, 2003 - Receipt of and review bank statement;
(SJZ - .10)

January 17, 2003 - Review of deposit and initial deposit;
(SJZ - .10)

January 22, 2003 - Request Claims Folder;
(SJZ - .10)

January 22, 2003 - Prepare correspondence to Debtor regarding balance left to payout;
(SJZ - .20)

January 24, 2003 - Review claims folder;
(SJZ - .20)

February 12, 2003 - Receipt of and review bank statement;
(SJZ - .10)

February 17, 2003 - Review of deposit and initial deposit;
(SJZ - .10)

February 21, 2003 - Receive and review bank stamped deposit slip;
(SJZ - .10)

March 5, 2003 - Review of deposit and initial deposit;
(SJZ - .10)

March 10, 2003 - Receive and review bank stamped deposit slip;
(SJZ - .10)

March 12, 2003 - Receipt of and review bank statement;

(SJZ - .10)

April 11, 2003 - Receipt of and review bank statement;
(SJZ - .10)

April 16, 2003 - Prepare Form 1 and Form 2;
(SJZ - .30)

May 14, 2003 - Receipt of and review bank statement;
(SJZ - .10)

June 13, 2003 - Receipt of and review bank statement;
(SJZ - .10)

June 13, 2003 - Review and execute Application to Employ Attorney for Trustee;
(SJZ - .10)

June 26, 2003 - Receive and review Order to Employ Attorney for Trustee;
(SJZ - .10)

July 15, 2003 - Receipt of and review bank statement;
(SJZ - .10)

August 12, 2003 - Receipt of and review bank statement;
(SJZ - .10)

September 12, 2003 - Receipt of and review bank statement;
(SJZ - .10)

October 15, 2003 - Receipt of and review bank statement;
(SJZ - .10)

November 17, 2003 - Receipt of and review bank statement;
(SJZ - .10)

December 17, 2003 - Receipt of and review bank statement;
(SJZ - .10)

January 15, 2003 - Receipt of and review bank statement;
(SJZ - .10)

February 13, 2004 - Receipt of and review bank statement;
(SJZ - .10)

March 10, 2004 - Receipt of and review bank statement;
(SJZ - .10)

March 26, 2004 - Review of 13 deposits and initial deposits;
(SJZ - .20)

April 5, 2004 - Receive and review 13 bank stamped deposit slips;
(SJZ - .10)

April 13, 2004 - Review and execute Application to Approve Compromise Settlement Agreement;
(SJZ - .10)

April 13, 2004 - Review and execute Application to Pay Special Counsel;
(SJZ - .10)

April 16, 2004 - Receipt of and review bank statement;
(SJZ - .10)

April 16, 2004 - Prepare Form 1 and Form 2;
(SJZ - .30)

May 6, 2004 - Receive and review Order granting Application to Approve
Compromise Settlement Agreement;
(SJZ - .10)

May 6, 2004 - Receive and review Order to Pay Special Counsel;
(SJZ - .10)

May 14, 2004 - Receipt of and review bank statement;
(SJZ - .10)

June 14, 2004 - Receipt of and review bank statement;
(SJZ - .10)

June 30, 2004 - Review and execute check for Attorney for Trustee fees and
expense;
(SJZ - .10)

July 14, 2004 - Receipt of and review bank statement;
(SJZ - .10)

TOTAL ITEMIZED TRUSTEE TIME: 13.90 hrs.

Additional Trustee time to be incurred:

Evaluation of case for administration and disposition of assets;

Continuous monitor of case administration;

Preparation of disbursement checks to creditors and Trustee fees and expenses;

Preparation of dividend letter to creditors;

Review additional bank statements;

Preparation of additional Form 1's and 2's as necessary;

Preparation of Trustee's Supplemental Final Report.

SCHEDULE C
EXPENSES OF ADMINISTRATION

	(1) Amount Claimed	(2) Amount Allowed	(3) Previously Paid	(4) Due
1. 11 U.S.C Sec. 507(a)(1) Court Costs and Fees	0.00	0.00	0.00	0.00
2. 11 U.S.C. Sec. 503(b)(1)(a) Preservation of Estate	0.00	0.00	0.00	0.00
3. 11 U.S.C. Sec. 503(b)(2) Post-Petition taxes and related penalties	0.00	0.00	0.00	0.00
4. 11 U.S.C. Sec. 503(b)(2) Compensation and Reimbursements				
A. Trustee - Compensation	4,267.56	4,267.56	0.00	4,267.56
B. Trustee - Expense	443.24	443.24	0.00	443.24
C. SPECIAL ATTY FEES	17,896.74	17,896.74	17,896.74	0.00
D. TRUSTEE ATTORNEY FEES	1,277.92	1,277.92	1,277.92	0.00
5. Court Special Charges (Excess Notices)	0.00	0.00	0.00	0.00
6. United States Trustee Fees	0.00	0.00	0.00	0.00
BkMk6 TOTALS:	\$23,885.46	\$23,885.46	\$19,174.66	\$4,710.80

UNITED STATES BANKRUPTCY COURT FOR THE EASTERN DISTRICT OF TEXAS BEAUMONT DIVISION

In Re:

Marcleain Smith

Debtor(s):

Bankruptcy Case: Chapter 7

BILL OF COURT COSTS

TO:

Stephen Zayler
123 E. Lufkin Avenue PO Box 150743
Lufkin, TX 75915-0743

Notice is hereby given that court costs (and deferred adversary filing fees, if applicable) are now due pursuant to 28 USC Section 1930, in the above case in the amount of
SO (Total Amount)

These costs are itemized as follows

NOTICES

\$0.25 per notice in excess of 50 notices mailed prior to 1/1/87.

00-12106 bp

so (Prior to 1/1/87)

SO.50 per notice for all notices mailed after to 1/1/87.

so (After 1/1/87)

NOTE: For Chapter 7 cases filed after 12/1/92, there will be NO NOTICE FEES. (Do Not Bill for \$0.50 per notice)

NOTE: For all other Chapters filed after 1/1/98, there will be NO NOTICE FEES. (Do Not Bill for SO.50 per notice)

PROCESSING CLAIMS

NOTE: The fee of \$0.25 for clerical processing of each claim in excess of 10 in. cases filed under the Act or Code has been eliminated

DEFERRED ADVERSARY FILING FEES

O(Deferred Adversaries) Chapter 7 Adversary Proceeding{s) filed @ \$120.00/\$150.00 each.

\$0

TOTAL AMOUNT DUE

\$0

Check to be made payable to Clerk, U.S. Bankruptcy Court

Date: **June 29, 2004**

JAMES D. TOKOPH

Clerk of Court

BY: **IShannon Britten I**

Deputy Clerk

SCHEDULE D

SECURED CLAIMS

Claim no.	Amount Claimed	Amount Not Determined	Amount Allowed	Previously Paid	Due
TOTALS	0.00		0.00	0.00	0.00

IDENTIFICATION OF SECURED PARTIES AFFECTED:

Claim No. Name of Creditor

Claim No. Name of Creditor

SCHEDULE E

PRIORITY CLAIMS OTHER THAN ADMINISTRATIVE EXPENSES IN THE FOLLOWING ORDER OF PRIORITY

	(1) Amount Claimed	(2) Amount Allowed	(3) Amount Paid	(4) Due
1. For Credit extended - Sec. 364(e)(1)	0.00	0.00	0.00	0.00
2. Claims from failure of adequate protection - Sec. 307(a)(b)	0.00	0.00	0.00	0.00
3. "Gap Claims" - Sec. 507(a)(2)	0.00	0.00	0.00	0.00
4. Wages, etc. - Sec. 507(a)(3)	0.00	0.00	0.00	0.00
5. Contributions to benefit plans - Sec. 507(a)(4)	0.00	0.00	0.00	0.00
6. Consumer deposits - Sec. 507(a)(6)	0.00	0.00	0.00	0.00
7. Taxes - Sec. 507(a)(7)	0.00	0.00	0.00	0.00
8. Other (No Basis):	0.00	0.00	0.00	0.00
TOTALS:	\$0.00	\$0.00	\$0.00	\$0.00

SCHEDULE E

PARTIES AFFECTED:

Priority No. Name of Creditor		Priority No. Name of Creditor		
FILED UNSECURED CLAIMS TOTAL:	15,460.80	15,460.80	0.00	15,460.80
SUBORDINATED UNSECURED CLAIMS TOTAL:	0.00	0.00	0.00	0.00

EXHIBIT A
ANALYSIS OF CLAIMS REGISTER

Case Number: 00-12106

Page 1

Date: August 02, 2004

Debtor Name: SMITH, MARCLEAIN

Claim Number Sequence

Code #	Creditor Name & Address	Claim Class	Notes	Amount Allowed	Paid to Date	Claim Balance
025 SAF	SILBER PEARLMAN LLP 2711 N. HASKELL AVENUE 5TH FLOOR DALLAS, TEXAS 75204	Administrative		\$17,896.74	\$17,896.74	\$0.00
025 TAF	STEPHEN J. ZAYLER ATTORNEY AT LAW P. O. BOX 150743 LUFKIN, TX 75915-0743	Administrative		\$1,277.92	\$1,277.92	\$0.00
080 BD	MARCLEAIN SMITH 3715 ROLAND ROAD BEAUMONT, TEXAS 77708	Unsecured		\$6,270.62	\$0.00	\$6,270.62
000001 070 UC	Resurgent Capital Services PO Box 10765 Greenville, SC 29603-0765	Unsecured		\$960.87	\$0.00	\$960.87
000002 070 UC	Household Credit Services PO Box 98724 Las Vegas, NV 89193	Unsecured		\$4,542.51	\$0.00	\$4,542.51
000003 070 UC	TSYS Total Debt Mgmt. Inc. FDS Bank - Bloomingdale's PO Box 6700 Norcross, GA 30091	Unsecured		\$595.82	\$0.00	\$595.82
000004 070 UC	Dillard National Bank PO Box 740933 Dallas, TX 75374	Unsecured		\$1,643.26	\$0.00	\$1,643.26
000005 070 UC	Providian National Bank 4900 Johnson Drive Pleasanton, CA 94588	Unsecured		\$1,447.72	\$0.00	\$1,447.72

Case Totals:

\$34,635.46

\$19,174.66

\$15,460.80

Code #: Trustee's Claim Number, Priority Code, Claim Type

UNITED STATES BANKRUPTCY COURT
FOR THE EASTERN DISTRICT OF TEXAS
BEAUMONT DIVISION

IN RE:)
SMITH, MARCLEAIN) CASE NO. 00-12106
)
) CHAPTER 7
DEBTOR(S))

TRUSTEE'S REPORT OF
PROPOSED FINAL DISTRIBUTIONS

The undersigned trustee of the estate hereby submits to the Court and to the United States Trustee this Report of Proposed Final Distributions.

1. The Court has entered orders which have become final, and which dispose of all objections to claims, all objections to the trustee's Final Report, all applications for compensation, and all other matters which must be determined by the Court before final distribution can be made.

2. The trustee proposes to make final distribution of the funds of the estate as follows, and will make such distribution unless written objection thereto is made, filed and served on the trustee and on the United States trustee.

1. BALANCE ON HAND	\$22,271.53
2. ADMINISTRATIVE EXPENSES TO BE PAID * (note)	\$4,710.80
3. SECURED CLAIMS TO BE PAID * (note)	\$0.00
4. PRIORITY CLAIMS TO BE PAID * (note)	\$0.00
5. UNSECURED CLAIMS TO BE PAID * (note)	\$9,190.18
Interest Paid on Unsecured Claims	\$2,099.93
6. OTHER DISTRIBUTIONS TO BE PAID * (note)	\$6,270.62
Excess Funds Back to Debtor	
7. TOTAL DISTRIBUTIONS TO BE MADE	\$22,271.53
(Sum of lines 2 through 6)	
8. ZERO BALANCE AFTER ALL DISTRIBUTIONS	\$0.00
(Line 1 less line 7)	

* (See attached schedule of payees and amounts)

/s/ Stephen J. Zayler (Trustee)
Stephen J. Zayler

PROPOSED DISTRIBUTION

Case Number: 00-12106 BP1
Debtor Name: SMITH, MARCLEAIN

Page 1

Date: August 2, 2004

Claim #	Payee Name	Class	Priority	Amount	Paid to Date	Claim Balance	Proposed Payment	Interest Paid To Date	Proposed Interest	Total Proposed Pymt	Funds Remaining
Beginning Balance											\$22,271.53
	Stephen J. Zayler COMPENSATION	Admin		\$4,267.56	\$0.00	\$4,267.56	\$4,267.56	\$0.00	\$0.00	\$4,267.56	\$18,003.97
	Stephen J. Zayler EXPENSES	Admin		\$443.24	\$0.00	\$443.24	\$443.24	\$0.00	\$0.00	\$443.24	\$17,560.73
	SILBER PEARLMAN LLP	Admin	025	\$17,896.74	\$17,896.74	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$17,560.73
	STEPHEN J. ZAYLER	Admin	025	\$1,277.92	\$1,277.92	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$17,560.73
000001	Resurgent Capital Services	Unsec	070	\$960.87	\$0.00	\$960.87	\$960.87	\$0.00	\$219.56	\$1,180.43	\$16,380.30
000002	Household Credit Services	Unsec	070	\$4,542.51	\$0.00	\$4,542.51	\$4,542.51	\$0.00	\$1,037.95	\$5,580.46	\$10,799.84
000003	TSYS Total Debt Mgmt. Inc.	Unsec	070	\$595.82	\$0.00	\$595.82	\$595.82	\$0.00	\$136.14	\$731.96	\$10,067.88
000004	Dillard National Bank	Unsec	070	\$1,643.26	\$0.00	\$1,643.26	\$1,643.26	\$0.00	\$375.48	\$2,018.74	\$8,049.14
000005	Providian National Bank	Unsec	070	\$1,447.72	\$0.00	\$1,447.72	\$1,447.72	\$0.00	\$330.80	\$1,778.52	\$6,270.62
	MARCLEAIN SMITH	Unsec	080	\$6,270.62	\$0.00	\$6,270.62	\$6,270.62	\$0.00	\$0.00	\$6,270.62	\$0.00
<< Totals >>				\$39,346.26	\$19,174.66	\$20,171.60	\$20,171.60	\$0.00	\$2,099.93	\$22,271.53	\$0.00

Proposed distribution is dependent on the Court's rulings on administrative expenses, contest of claims, and/or objections made to this proposed distribution. Interest was calculated from the Case Petition Date of 11/07/00 through 08/02/04 at a rate of 6.11% (annualized simple interest).